

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

**F031577      People v. Bourne**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

**F032997      People v. Garcia**

The judgment is set aside for the limited purpose of permitting Gracia within 30 days from the date the remittitur is issued, to file in the trial court a motion to withdraw his plea of guilty in a manner consistent with the views expressed in this opinion. If no motion is timely filed or if the motion is denied, the judgment should be reinstated by the trial court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F031497      People v. Raper**

**F033619      People v. Raper**

The appeal in action number F031497 is dismissed as moot. In action number F33619, the judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F031945      People v. Willingham**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

**F033473      In re Raymond S., a Minor**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

**F033259      People v. Haynes**

The judgment is affirmed.

By the Court.

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**F033012      People v. Waters**

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F032944      People v. Blair**

Blair's convictions are affirmed. The trial court's sentence is reversed and the matter is remanded for resentencing. The trial court is directed to dismiss the finding that Blair's juvenile adjudication for attempted robbery is a strike for three strike purposes. The court is directed to dismiss the enhancement that this same juvenile adjudication is a prior serious felony pursuant to Penal Code section 667, subdivision (a). The court is directed to recalculate the restitution fine pursuant to Penal Code section 1202.4 and to determine the amount, if any, of direct victim restitution.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F032643      People v. Morning**

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F034511      People v. Martinez**

Appellant having filed an abandonment and/or request for dismissal of appeal, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

**F034223      In re Justin M., a Minor**

The judgment is affirmed.

By the Court.

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**F031991      People v. Tapia**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

**F034043      In re Derick T., a Minor**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

**F034943      In re Sabrina O., a Minor**

Appellant having filed an abandonment and/or request for dismissal of appeal, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.